

REPORT OF ACTIVITIES  
OF THE  
DEPARTMENT OF WATER RESOURCES

By

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\*Presented before The Reclamation Board in Sacramento, California on April 21, 2006

## WATER CONDITIONS

The median Water Year Sacramento (4 River) Runoff forecast increased significantly during March from 23.1 MAF to 27.5 MAF (144% of the 1951-2000 average). The median Sacramento and San Joaquin Valley Water Year Type indexes are both "Wet." The projected median April-July runoff in basins on the west side of the Sierras now ranges from about 152% (Trinity River) to 108% (Tule River).

During March, the Northern Sierra 8-Station Index gained 14.4" of rainfall, which is 209% of the month's average. The 8-station's seasonal total to date, as of April 12, is now 74.6", which is 173% of the seasonal normal to date and 149% of a normal Water Year (50"). (Last year at this time, the 8-Stations had 45.0", or 104% of the seasonal normal.) During March, precipitation amounts in other Sierra regions besides the Northern Sierra 8-Station Index were also near 200% of the March average. March's very wet conditions are continuing into April. Already, the 8-Stations have received 8.6" in April, which is 221% of the month's average.

In addition to being very wet during March in parts of California, it was also been quite cool. The average monthly maximum temperatures set record lows in San Francisco, San Jose, Redding, Sacramento, and Fresno. In addition, the average monthly mean temperatures set low records in San Francisco, Redding, and Fresno.

**Summary of Water Conditions in California, April 1, 2006 (percent of average)**

Hydrologic Region	Precip Oct 1- date	Snow Water Content	Reservoir Storage	Oct 1- date	Runoff Apr thru Jul Forecast	Water Year Forecast
North Coast	150	140	105	165	145	150
San Francisco Bay	155	-	115	160	-	-
Central Coast	110	-	130	85	-	-
South Coast	60	-	100	80	-	-
Sacramento River	145	110	110	155	125	145
San Joaquin River	125	135	125	150	135	135
Tulare Lake	110	135	145	105	130	120
North Lahontan	140	125	125	185	140	145
South Lahontan	100	145	115	95	130	125
Colorado River	55	-	-	-	-	-
Statewide	130	125	115	155	130	140
<b>Last Year, Statewide</b>						
<b>April 1, 2005</b>	140	135	105	75	115	100

Selected Cities Precipitation Accumulation as of 4/04/2006					
	Jul 1 to Date 2005 - 2005 (in inches)	% Avg	Jul 1 to Date 2004 - 2004 (in inches)	% Avg	% Avg Jul 1 to Jun 30 2005 - 2006
Eureka	54.04	162	33.79	101	141
Redding	38.95	133	31.19	107	116
Sacramento	23.28	128	21.89	120	117
San Jose	19.94	145	20.72	151	132
Fresno	12.45	124	13.74	137	110
Bakersfield	5.03	87	7.98	138	77
Los Angeles	11.30	80	36.01	254	74
San Diego	3.78	38	21.76	219	35

Key Reservoir Storage (1,000 AF) as of 4/04/2006 midnight								
Reservoir	River	Storage	Avg Storage	% Average	Capacity	% Capacity	Flood Control Encroachment	Total Space Available
Trinity Lake	Trinity	2,134	1,972	108	2,448	87	---	314
Shasta Lake	Sacramento	3,941	3,750	105	4,552	87	265	611
Lake Oroville	Feather	2,965	2,818	105	3,538	84	138	573
New Bullards Bar Res	Yuba	815	695	117	966	84	6	151
Folsom Lake	American	769	635	121	977	79	142	208
New Melones Res	Stanislaus	2,138	1,452	147	2,420	88	74	282
Don Pedro Res	Tuolumne	1,782	1,448	123	2,030	88	92	248
Lake McClure	Merced	745	568	131	1,025	73	120	280
Millerton Lake	San Joaquin	519	347	149	520	100	-1	1
Pine Flat Res	Kings	924	572	162	1,000	92	140	76
Isabella	Kern	301	188	160	568	53	-108	267
San Luis Res	(Offstream)	2,029	1,864	109	2,039	100	---	10

As of April 1, statewide runoff has been about 155% of average so for this season, boosted by the large percentages in the northern half of the State. Runoff in the southern regions has been much less, a reflection of precipitation pattern. The extremely wet weather in March and early April has resulted in many reservoirs' flood control space being encroached. Most large reservoirs are about as full as they can be for this time of year because of flood-control space requirements. Heavy precipitation and increased releases from reservoirs has resulted in high flows in many rivers, particularly in the San Joaquin River and its tributaries.

The latest NWS Climate Prediction Center long-range weather forecast maps for April, issued March 31, suggest above average precipitation for all California, including nearby areas of adjacent states. Temperatures are forecast to be below normal for most of the Pacific Northwest and Northern California. Other regions of California are expected to have average temperatures.

## **INTERAGENCY COLLABORATIVE FLOOD MANAGEMENT PROGRAM**

The Department of Water Resources has encountered obstacles in maintaining its decades-old flood control levee and channel system in Central California. In an effort to improve system management and reduce flood risk to the protected farms and communities, in February 2005, DWR requested various local, State, and federal agencies' participation in a collaborative process to examine the issues and develop solutions to the complex environmental compliance requirements and resource opportunities associated with the maintenance of California's flood control infrastructure. Activities associated with this initiative commenced on August 22, 2005 when key personnel from ten separate agencies convened. During the ensuing discussions, it was agreed that a collaborative program was warranted and all the key agencies agreed to participate in a multilevel facilitated effort expected to last two years. Participating agencies include the following:

U.S. Army Corps of Engineers  
U.S. Fish and Wildlife Agency  
National Marine Fisheries Service  
California Department of Fish and Game  
Central Valley Regional Water Quality Control Board  
The Reclamation Board  
California Central Valley Flood Control Association  
California Department of Water Resources

Three levels of agency participation are required. Agency leaders meet one to two times a year to review overall progress and direction, provide policy guidance, resolve disputes, and celebrate achievements. A management level group composed of senior level personnel meets monthly to develop and implement short term, intermediate, and long term actions to more systematically and effectively manage the Central Valley's flood control projects. Finally, as directed by the management level group, technical staff from various agencies are assigned specific tasks that advance the mission and goal of the agencies participating in the process.

During the monthly management level meetings, participants so far have discussed and developed better understanding of: the flood control project purposes, the roles and responsibilities of participating agencies, legal requirements associated with operation and maintenance of federal flood control projects, State as well as federal environmental compliance obligations and options, and flood control project maintenance needs. Currently the group is developing specific projects that, if implemented, would improve the way we do

business to reduce the public's exposure to risks from flooding while incorporating appropriate environmental resource protection and enhancement. Three areas of projects have been proposed. These include sediment removal projects in bypasses (Tisdale and Yolo at Fremont Weir) and along stream channels (Butte Creek), vegetation management in river channels (Feather River between Yuba City and the American River), and erosion site repairs (through out the SRFCP).

Recent meetings have been focusing on simplifying the permit process for small erosion sites with a goal of completing the work in a manner that will not adversely affect listed species. The aim of the group is to develop standard repair templates and programmatic environmental documents that can be used by local maintaining agencies to complete repairs expeditiously. The hope is that timely repairs (accomplished when erosion has just begun and before damage becomes extensive) will be cheaper to complete and will avoid the need for more extensive and environmentally damaging actions in the future that might be needed if repair actions are delayed.

In the near future, the IFMCP will begin to work on the channel vegetation management issue. The plan is to use ongoing efforts on the part of the Corps of Engineers, Sacramento County, the Sacramento Area Flood Control Agency, and DWR related to American River channel management as the basis for the group's discussions. The goal will be to reach consensus on procedures, roles and responsibilities for the maintaining agencies and for the regulatory agencies that are needed to comply with project operation and maintenance manuals and environmental laws. Agreements will be documented in writing including the development of all necessary environmental permits needed by the various agencies having operation and maintenance obligations.

In support of recent efforts to repair critical erosion sites identified by Ayres consultants prior to next flood season, the IFMCP is helping facilitate environmental compliance issues associated with this work. Members of the Department's erosion repair design team recently met twice with resource agency representatives and discussed how environmental obligations could be fully met in an expedited fashion. Design features were identified that if incorporated into repairs will help make designs self-mitigating, and various environmental documents were provided to serve as templates for future submittals. Resource agencies also agreed that their staff would participate in field design reviews in late April. The intent of field visits will be to identify concerns and offer advice on actions that could be taken to minimize adverse environmental impacts. Agencies also pledged to expedite reviews and assign dedicated staff to the effort. To help ensure adequate staff is available to assist in erosion repair efforts, DWR will fund agency involvement and has initiated development of interagency agreements to govern the use of the funds provided.

## **SEDIMENT REMOVAL**

Water Code Section 8361 assigns Sacramento River Flood Control Project channel maintenance to DWR, including removing sediment throughout the entire system. This work is critical to facilitate the safe passage of design flows while preserving specified levels of freeboard. Without sediment control, the risk of overstressing levees and extensive flood damage increase yearly.

Sediment removal projects are planned at Fremont Weir in the Yolo Bypass, and Tisdale Bypass. In anticipation of receiving an additional baseline appropriation to fund sediment removal contracts beginning in July 2006, some of the money currently available for sediment removal is being spent to initiate design work, as well as begin acquiring permits for work at the Tisdale Bypass. The current plan is to remove approximately 1 million cubic yards of sediment from the Yolo Bypass at the Fremont Weir during the summer of 2006, and then follow up with removing 2,500,000 cubic yards from the Tisdale Bypass in the summer of 2007.

Sediment removal contracts are fairly complex from an environmental compliance and permitting perspective. Due to the short duration of work windows available to minimize potential environmental impacts, a one- to two-year long effort is typically needed to get a sediment removal project through design and ready for construction. The project descriptions and status follow.

### Fremont Weir

The project area is adjacent to the Sacramento River. The Fremont Weir is a concrete ogee weir six-feet high, with a stilling apron 25- to 35-feet wide, and 55 to 65 feet of large stone block inlaid downstream. It extends for 1.8 miles and is located about 300 feet from the river and roughly parallel to it.

DWR is proposing to remove up to three feet of accumulated sediment from in front (north) of the Fremont Weir from its most western limit proceeding eastward to the center of the Weir structure. Sediment will also be removed south of the Weir with the deepest cuts (3 feet), immediately south of the Weir structure.

DWR has obtained a permit from the Reclamation Board, and a draft Streambed Alteration Agreement from Department of Fish and Game. DWR has a 401 Water Quality Certification from CVRWQCB pending payment of the \$40,000 fee and a Waiver of Waste Discharge Requirements pending CVRWQCB approval at their meeting on May 5, 2006. The Corps 404 permit is pending a maintenance baseline determination and the 401 Water Quality Certification. Funding has

been encumbered and the project is scheduled to be advertised at the end of April 2006. Construction will be completed by November 15, 2006.

### Tisdale Bypass

The Tisdale Bypass allows floodwaters to leave the Sacramento River at the Tisdale Weir and flow eastward into the Sutter Bypass. DWR is proposing to remove accumulated sediment from the Tisdale Bypass from its most western limit proceeding to the Sutter Bypass. Current surveys show there are approximately 2,500,000 cubic yards of sediment within these limits.

A project description is being drafted based on input from environmental surveys, right-of-way research, and regulatory agencies. Currently, the spoil sites are located on DWR-owned land within the footprint of the northern training levees that form the Tisdale Bypass. The bypass is bisected geographically by the Reclamation Road Bridge which separates the two spoil sites into two distinct areas. The existing toe drains will be bridged using temporary steel framed bridges or culvert crossings. Material removed from the western portion of the bypass will be transported up the existing training levees after constructing or improving three ramps for access to the western spoil area.

Right-of-way issues and permits are scheduled for completion in April 2007. The amount of sediment that has accumulated will require construction to begin in June 2007 so that temporary environmental impacts can be minimized while still completing the project before flood season begins on November 15, 2007. Although efforts will be made to limit environmental impacts, mitigation costs may be significant due to the high quality and quantity of habitat in the project area.

### **SUTTER COUNTY BRIDGES**

The U. S. Army Corps of Engineers, in cooperation with The Reclamation Board, constructed the Sutter Bypass Project in the 1920's. The project consisted of the east levee of the Sutter Bypass, and an internal drainage and pumping system for the levee area thus created between the Feather River and the Sutter Bypass. The internal drainage system included the West Interceptor Canal and the East Interceptor Canal to collect drainage from the southeastern portion of the Sutter Buttes and the area to the northeast as far as the Feather River. The two intercepting canals drain by gravity into the Wadsworth Canal, which in turn drains into the Sutter Bypass. The remainder of the reclaimed area south of the Wadsworth Canal is drained via a network of canals which lead to three pump stations.

When this drainage system was created, a number of local roads were severed. Thus, a series of bridges were constructed as part of the project and made a maintenance responsibility of the Department under Water Code section 8361. Since 1983 the Department staff has worked with Sutter County to upgrade or

replace inadequate bridges. The improved bridges are being or will be turned over to the Sutter County for future maintenance.

Similarly, when Tisdale Bypass was constructed, it severed Garmire Road. The bridge, which was constructed as part of the project, is in urgent need of replacement from both a hydraulic and traffic safety perspective.

The Mallot Road Bridge project consisted of replacing two undersized culverts conveying the West Interceptor Canal's flow at the Mallott Road crossing in cooperation with Sutter County Department of Public Works (see location map). DWR and the County originally had decided to replace the culverts with a bridge. However, based on hydraulic evaluations and construction considerations, an 8-foot by 12-foot box culvert was installed instead.

The Department, Sutter County, and the Federal Highway Administration cooperatively completed replacement of Butte House Bridge and Franklin Road Bridge over Wadsworth Canal. The two remaining bridges are Garmire Road Bridge and O'Banion Road Bridge. The new bridges will be constructed under the Highway Bridge Replacement and Rehabilitation Program of the Federal Highway Administration. DWR will pay 11.47 percent of the cost of construction for these bridges, with the remainder to be financed through the FHWA's Highway Bridge Replacement and Rehabilitation Program. The status of the two remaining bridges are detailed in the following paragraphs.



### Garmire Road Bridge Replacement

This project consists of replacement of the existing bridge with a new bridge in cooperation with Sutter County Department of Public Works. The bridge crosses Tisdale Bypass at Garmire Road located in Sutter County (see location map). The existing bridge is a single-lane pile-supported concrete structure. During major floodflows, debris accumulates against the piles reducing the flow capacity of the Tisdale Weir. This results in higher flood stages in the Sacramento River downstream of the weir. The new structure has been designed to meet current traffic design standards and because of a span length of 143 feet, the new structure will pass floating debris which will improve floodwater conveyance.

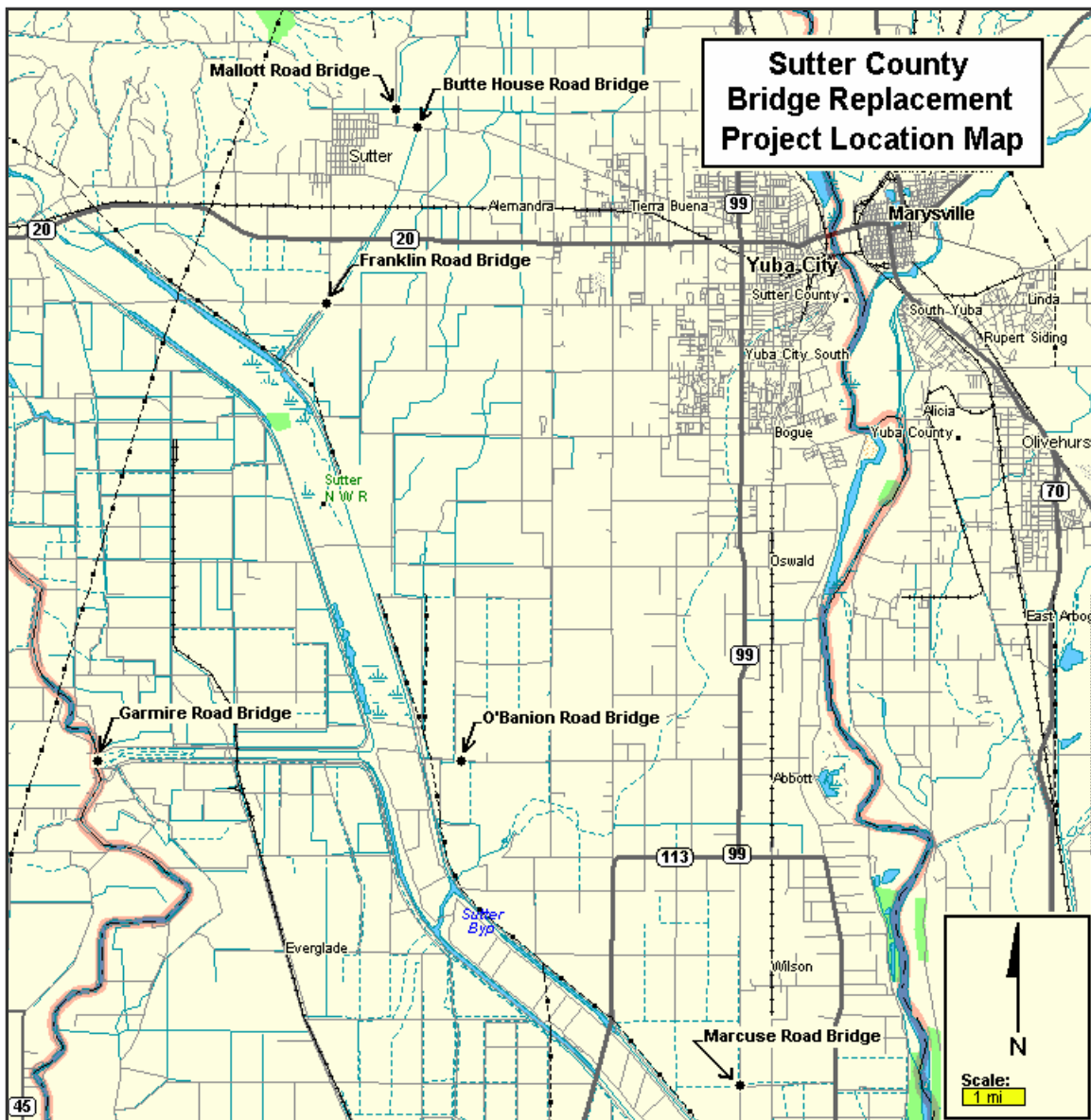
In fiscal year 1998-1999 DWR secured \$1,800,000 to fund the replacement of the bridge. Of this amount, \$100,000 was allocated for State operation expenses, and \$1,700,000 will be paid to Sutter County for construction. The Department of General Services approved the original contract on April 18, 2001. By contract, Sutter County is responsible for design, award of the construction contract, construction administration, and maintenance of the new bridge. The State is responsible for payment of the \$1,700,000, hydraulic analysis, and acquisition of the necessary right-of-way and environmental permits. Construction was scheduled to begin in 2004, after utility relocations.

Unfortunately, the magnitude and complexities of this project have resulted in unforeseeable slips in the schedule. The delays resulted from the difficulties in permitting, specifically in complying with Endangered Species Act, National Historic Preservation Act, and Clean Water Act, as well as difficulties securing needed right-of-way. Sutter County's consultant has completed plans and specifications. The permits have been acquired, and the right-of-way acquisition is nearing completion as well. The project is scheduled to begin construction in May 2007. Funds for construction were reappropriated in 2001-2002, and again in 2003-2004. Another request for reappropriation is expected to be approved by the Governor in July 2006. If approved, funds will be available to complete construction.

### O'Banion Road Bridge Replacement

This project consists of replacing the existing bridge with a new bridge that will be constructed in cooperation with Sutter County Department of Public Works. The bridge crosses the Project No. 6 Collecting Canal at O'Banion Road located east of the Sutter Bypass in Sutter County (see location map). The existing bridge was built in the 1930's and is being replaced because it is structurally deficient and functionally obsolete based on current transportation safety and bridge construction standards.

In fiscal year 1999-2000, DWR secured \$340,000 to fund the replacement of the bridge. The budgeted amount included \$40,000 for State operation expenses and \$300,000 to Sutter County for construction. The State operation funding expired June 30, 2002; funds to pay Sutter County have been encumbered until June 30, 2007. By contract, Sutter County is responsible for design, award of the construction contract, construction administration, and maintenance of the new bridge. Initially, this project was going to be 100 percent State funded; however, when it was discovered to be eligible for FHWA's HBRRP funding, the State worked with Sutter County to get the project enrolled in the program. Although this resulted in a construction delay of a couple of years, the State's share of the project has been reduced to approximately \$100,000. Sutter County Board of Supervisors approved the contract on April 4th, and will advertise the contract to construct this bridge in late April. Bid opening is scheduled for May 2006. Construction is scheduled for completion prior to fund expiration on June 30, 2007.



## LEGISLATION

### Significant Legislative Schedule Dates

April 6, 2006	Spring Recess begins at the end of this day's session.
April 17, 2006	Legislature reconvenes
April 28, 2006	Last day for policy committees to hear and report fiscal bills for referral to fiscal committees.
May 12, 2006	Last day for policy committees to hear and report nonfiscal bills to the Floor.

### Legislation of Interest – April 2006

- AB 31**     **(Parra) San Joaquin Valley task force.** (A-6/21/05)  
This bill would, until January 1, 2011, create the Interagency Task Force for the Economic Development of the Central San Joaquin Valley, composed of the heads of specified State agencies and departments, to coordinate and improve existing State and federal efforts for the Valley, in concert with locally led efforts, in order to increase the living standards and the overall economic performance of the valley.  
**Location:** Senate Business, Professions and Economic Development Committee
- AB 479**     **(Parra) San Joaquin Valley task force.** (A-1/4/06)  
This bill would require DWR to study the economic impacts of water supply reduction in specified counties in the San Joaquin Valley, and to report its findings to the legislature on or before December 31, 2008.  
**Location:** Senate Rules
- AB 797**     **(Wolk) Sacramento-San Joaquin Delta.** (A-1/25/06)  
This bill would amend provisions of law regarding the rescission of agricultural conservation easements, the election of officers to the Delta Protection Commission (Commission) and the number of authorized Commission members.  
**Location:** Senate Third Reading File
- AB 798**     **(Wolk) Delta levee maintenance.** (A-1/4/06)  
This bill would extend the Delta Levee Maintenance Subvention Program by two years to July 1, 2008, and require DWR to identify levees that are at risk of failure based on a specified evaluation of Delta levees, and would use the results of that evaluation to determine which levees need financial aid for maintenance or improvement projects.  
**Location:** Senate Natural Resources and Water Committee
- AB 802**     **(Wolk) Land use: water supply.** (A-1/23/06)  
This bill would require, beginning on or after January 1, 2007, that the safety element of a local general plan include a flood management component upon the

adoption of the general plan; when there is an amendment to the conservation element; or when there is an amendment of two or more elements of the general plan. The bill would also require, on or after January 1, 2007, that revisions to a city or county general plan or amendment to the safety element, consider assessments of both the risk to life and property from “reasonably foreseeable” flooding, and analyze how the local infrastructure can be designed or altered to minimize the risk of flooding.

**Location:** Senate Local Government Committee

**AB 1244** (Wolk) CALFED Bay-Delta Program. (A-1/19/06)

This bill would modify the State act to clarify the relationship of the authority and its implementing agencies with the federal government with regard to the program, and to conform the State act to the federal act. This bill would change the title of the program to the CALFED Bay-Delta Program; require State agencies to cooperate with federal agencies to meet the goals and objectives of the program; require State agencies to comply with the State act without respect to the cooperation of federal agencies; and remove references to federal authorizing legislation. In addition, this bill would establish a board to govern the Authority, comprised of the existing representatives, members, and ex-officio members of the Authority; and would designate the member from the Bay-Delta Public Advisory Committee as a public member.

**Location:** Senate Natural Resources and Water Committee

**AB 1245** (Wolk) CALFED Bay-Delta Program. (A-4/21/05)

This bill would establish the California Bay-Delta Environmental Water Account (EWA) in the State Treasury and would require the Secretary of the Resources Agency to administer the EWA, in consultation with the Director of Water Resources and the Director of Fish and Game. The bill would authorize the moneys in the account to be expended, upon appropriation, to protect delta fishery resources and improve water supply reliability in connection with the operation of the State Water Project and the Central Valley Project. The bill would authorize the Secretary to accept financial contributions on behalf of the EWA and would authorize the Secretary to accept contributions of water from any source to carry out the program. The bill would require DWR, and not The Resources Agency, to administer the EWA, add continuous funding, and define responsibilities of DWR in administration of the EWA.

**Location:** Senate Natural Resources & Water Committee

**AB 1665** (Laird) Flooding. (A-9/8/05)

As currently written, the bill would, among other things, place additional responsibilities on state and local agencies to provide better information regarding conditions of project levees, including deficiencies; require the state to notify the public and public agencies of potential flood risks; and provide an expeditious schedule to update the state’s outdated flood maps. *Proposed amendments will seek to address issues of providing a stable funding source for operation and maintenance of levees through assessments; provide for a mandatory notice of*

*insurance or a mandatory offer of insurance; allow DWR to establish a mitigation bank; clarify that DWR can repair levee work maintained by locals without establishing a maintenance area; and require a sharing of liability by local agencies (cities and counties) whenever a flood project is modified or when the state provides cost-sharing funds towards the project. Sponsored by DWR.*

**Location:** Senate Natural Resources & Water

**AB 1783 (Nunez) Infrastructure financing.** (I-1/4/06)

This is an intent bill that would place a general obligation bond on the ballot that would provide funds for emergency preparedness, affordable housing, brownfields cleanups and levee protection in the Delta. It intends to enact the California Infrastructure, Improvement, Smart Growth, Economic Reinvestment and Emergency Preparedness Financing Act of 2006. The measure intends to provide funds for restoration and improvements for the Delta, including the Delta Levee Maintenance Program.

**Location:** Assembly-Print

**AB 1839 (Laird) Water and Flood Bond.** (I-1/10/06)

This bill would place a general obligation bond measure before the voters in 2006 and 2010 as specified below. Known as the Flood Protection and Clean, Safe, Reliable Water Supply Bond and Financing Acts of 2006 and 2010, the bill includes a total of \$9 billion in general obligation bond dollars over the next ten years for water and flood management, with more than \$2.5 billion to help pay for flood management programs. Note: SB 1166 is a companion bill and contains the same provisions. AB 1839 will go to a two-house conference committee on infrastructure bonds. Sponsored by Governor Schwarzenegger.

**Location:** Assembly Print

**AB 1877 (Nakanishi) Streambed alteration agreements: levee or flood control systems: notification.** (A-3/13/06)

This bill would delete routine maintenance and operation of flood control facilities from existing notification requirements that are sent to the Department of Fish and Game for actions involving the diversion or obstruction of the natural flow of, or substantially changing or using any material from the bed, channel, or bank of any river, stream or lake.

**Location:** Assembly Water, Parks and Wildlife Committee

**AB 1898 (Jones) Flood Insurance.** (A-3/29/06)

Effective July 1, 2007, this bill would enact the California Flood Insurance Program and would require property owners located in a flood hazard zone within the Sacramento and San Joaquin Rivers watersheds, to maintain flood insurance, unless the State or agency responsible for operation of the levee system protecting the property from flooding has certified that the levee system protecting the property provides at least 200-year flood protection.

**Location:** Assembly Insurance

**AB 1899 (Wolk) Land Use: flood protection. (I-1/25/06)**

This bill would require a city or county to include in a draft or final environmental document prepared for a development project, a flood assessment and a discussion as to whether the flood protection for the lands upon which the project is proposed to be located currently meets a specified 200-year flood protection standard. The bill would also revise the Subdivision Map Act to require a city or county to include, as a condition in any tentative map that includes a project, a requirement that a flood management agency verify to the city or county that the lands upon which the project is proposed to be located will meet a 200-year flood protection standard within five years of the date in which a final map is issued.

**Location:** Assembly Local Government

**Hearing: April 19, 2006**

**AB 2000 (La Malfa) Levees: unlawful entry. (A-3/15/06)**

This bill would impose a new misdemeanor crime for a person who enters unlawfully upon a levee upon which signs forbidding trespass are displayed. If the crime results in a conviction, a fine for the first offense would be \$250. A second offense would result in a \$500 fine, and each additional offense occurring within one year of a second or subsequent offense would result in a fine of \$1000. The bill exempts emergency, disaster service and public utility workers from the penalty provisions.

**Location:** Assembly Appropriations

**AB 2026 (Aghazarian) Flood control. (I-2/14/06)**

In establishing and enforcing standards for the maintenance and operation of levees, the bill would require The Reclamation Board to give the highest consideration to its mission to protect the health and safety of the public, and to give due consideration to fish and wildlife, recreation and environmental factors. In addition, the bill would exempt actions undertaken by The Reclamation Board or local agencies for routine maintenance of levees from the California Environmental Quality Act.

**Location:** Assembly Water, Parks and Wildlife Committee

**AB 2027 (La Malfa) Flood control projects. (I-2/14/06)**

This bill would eliminate a requirement of the Delta Levee Maintenance Subventions program, which requires a not-net loss determination to be made by the Department of Fish and Game for approval of levee maintenance plans that call for the use of channels used by fisheries or wildlife habitat.

**Location:** Assembly Water, Parks and Wildlife Committee

**AB 2162 (Maze) Flood control and environmental restoration projects: levees: transfer. (I-2/21/06)**

This bill would prohibit DWR, The Reclamation Board, and the California Bay-Delta Authority from allocating funds on behalf of any flood control or environmental restoration project if the project involves the transfer of the ownership of any portion of a project or nonproject levee, or any flood control facility, to a nonpublic entity.

**Location:** Assembly Water, Parks and Wildlife Committee

**AB 2172 (Evans) St. Helena Napa River Flood Protection & Estuary Restoration Project.**

(I-2/21/06)

This bill would declare legislative intent that the St. Helena Napa River Flood Protection and Estuary Restoration Project, upon federal authorization, become eligible for state bond funds that are proposed to be made available by the enactment of the Flood Protection and Clean, Safe, Reliable Water Supply Bond and Financing Act of 2006 (AB 1839 – Laird and SB 1166- Aanestad).

**Location:** Assembly Print

**AB 2208 (Jones) Delta levee and conveyance system: water user fee. (I-2/22/06)**

This bill would declare legislative intent to impose a fee on water users who benefit from the delta levee and conveyance system to fund system improvements, in accordance with the "beneficiary pays" principle.

**Location:** Assembly Print

**AB 2500 (Laird) Project levee upgrade funds: local safety plans. (A-3/30/06)**

This bill would prohibit the State from allocating or expending funds for the upgrade of a project levee that protects an urban area in which more than 10,000 people reside, unless the beneficiary city or county enters into an agreement with the department pursuant to which the city or county agrees to adopt, within 3 years, a safety plan that includes specified components.

**Location:** Assembly Local Government

**AB 2518 (Houston) California Environmental Quality Act. (3/27/06)**

This bill would exempt from CEQA actions of the Department of Housing and Community Development or the California Housing Finance Agency in connections with low-income and moderate income housing projects, if another agency is performing the CEQA review.

**Location:** Assembly Natural Resources

**AB 3022 (Umberg) Flood control: safety element. (I-2/24/06)**

This bill would require on or after January 1, 2008, as specified, that the safety element of a city or county general plan, address flood management factors, that include, among other things, residential areas determined to be in a 100-year flood plain. This bill would also require an express, written disclosure that any subdivided lands offered for sale or lease or any residential property that is transferred, as specified, contain a statement that the property is located within a 100-year flood plain.

**Location:** Assembly Local Government

**AB 3025 (La Malfa) Reclamation Board: mitigation plans. (I-2/24/06)**

This bill would prohibit a mitigation plan from requiring the acquisition or

designation of a total amount of land for riparian, fishery, or wildlife habitat that exceeds the total acreage of riparian, fishery or wildlife habitat adversely affected by the project.

**Location:** Assembly Water, Parks and Wildlife

**AB 3050** **(Jones) Flood control liability.** (1-3/1/06)

This bill would provide that liability for property damage or personal injury shall rest jointly with all State and local public entities that participate in the design, construction, operation, or maintenance of a flood control project when the flood control project fails to function as intended and causes property damage or personal injury in areas historically subject to flooding. The bill would provide that the State is entitled to a right of contribution against any local public entity whose actions, or failure to act, contributes to the failure of a flood control project when that failure causes property damage or personal injury and a judgment has been entered against the State. The bill would subject a local public entity to joint liability for the State's right of contribution to the extent that the local public entity increases the State's exposure to liability for property damage by approving new development in a previously undeveloped area, as defined.

**Location:** Assembly Print

**ACA 13** **(Harman) Local government: assessments and fees or charges.** (A-4/21/05)

This measure would amend Proposition 218 to provide flexibility to local governments in raising revenues for both capital improvement flood projects and operation and maintenance of flood control projects by providing a more equitable voting process for the approval of new or increased flood assessments.

**Location:** Assembly Local Government Committee

**SB 113** **(Machado) California Bay-Delta Authority Act.** (A-4/14/05)

This bill would require the Authority, in undertaking project review, approval, or modification, to consider the extent to which those plans or expenditures are consistent with the "beneficiary pays principle," as defined. The bill would provide that, for the purposes of implementing the act and subject to certain exceptions, State funds shall fund projects that have public benefits; non-state funds shall fund projects that have private benefits, and both project beneficiaries and the public are responsible for costs associated with a project that has both private and public benefits.

**Location:** Assembly Water, Parks & Wildlife Committee

**SB 350** **(Machado) San Joaquin River restoration and water management.** (A-7/5/05)

This bill would establish the San Joaquin River Fund in the State Treasury. The bill would require the Secretary of the Resources Agency, upon appropriation by the Legislature, to expend the money in the fund for projects that (1) improve habitat and physical conditions in and along the San Joaquin River to facilitate the restoration of streamflows and native anadromous fish populations or (2) result in the acquisition of cost-effective replacement water supplies and related actions.

**Location:** Assembly Water, Parks & Wildlife Committee



- SB 409** (Kehoe) General plans: air quality element. (A-3/23/06)  
This bill was gutted and amended on March 23, 2006 to regard emergency health care services – appropriation. This bill will no longer be reported.  
**Location:** Assembly Water, Parks, and Wildlife Committee
- SB 831** (Machado) Flood control: Stockton Metropolitan Area Flood Control Project. (A-4/27/05)  
This bill would authorize the Reclamation Board to accept the transfer of any project works of the Stockton Metropolitan Area Flood Control Project constructed by the San Joaquin Area Flood Control Agency that is considered an addition or extension to the Bear Creek and Mormon Slough Projects. Prior to acceptance of the project works, the Reclamation Board, the San Joaquin Area County Flood Control Agency and its member agencies, San Joaquin County Flood Control and Water Conservation District, the City of Stockton, and the County of San Joaquin, would be required to enter into a hold harmless and indemnification agreement.  
**Location:** Assembly Water, Parks and Wildlife Committee
- SB 1024** (Perata) Public works and improvements: bond measure. (A-1/26/06)  
This bill, as amended January 24, 2006, would authorize an unspecified amount in general obligation bonds for a spectrum of capital improvements throughout the State such as transportation, affordable housing and other public works, including levee protection and flood control, contingent upon voter approval at the June 6, 2006 primary election. The bill would also create the Flood Control Account with an unspecified amount for the purpose of levee improvements. *Note: A prior version of bill would have provided \$1.2 billion for levee improvements, including \$200 million for flood subventions.* This bill will go to the two-house conference committee on infrastructure bonds.  
**Location:** Assembly Desk
- SB 1166** (Aanestad) Public works and improvements: bond measure. (I-1/10/06)  
This bill would place a general obligation bond measure before the voters in 2006 and 2010 as specified below. Known as the Flood Protection and Clean, Safe, Reliable Water Supply Bond and Financing Acts of 2006 and 2010, the bill includes a total of \$9 billion in general obligation bond dollars over the next ten years for water and flood management, with more than \$2.5 billion to help pay for flood management programs. *Note: AB 1839 is a companion bill and contains the same provisions.* SB 1166 will go to a two-house conference committee on infrastructure bonds. Sponsored by Governor Schwarzenegger.  
**Location:** Senate Natural Resources and Water Committee
- SB 1251** (Alquist) Flood and stormwater management planning. (I-2/8/06)  
This bill would require the Director of Water Resources, not later than June 30, 2007, to convene a task force, to prepare a comprehensive statewide flood and stormwater management plan, building upon the work of the previously formed

California Floodplain Management Task Force. The task force would be required to prepare a plan that addresses a number of flood and stormwater management issues, including coastal floodplain management, alluvial fan floodplain management, compliance with the National Floodplain Insurance Program, floodwater management, floodwater storage, urbanization of floodplains, potential impacts of climate change, stormwater management and other issues. The bill would also require the task force, not later than June 30, 2008, to prepare and submit a report to the Legislature with regard to its funding and recommendations.  
**Location:** Senate Natural Resources and Water Committee

**SB 1446 (Torlakson) User fees and assessments: Sacramento-San Joaquin Delta flood control.**

(1-2/22/06)

This bill would declare legislative intent to authorize The Reclamation Board, in consultation with DWR, to establish a "beneficiary pays system" and to collect user fees and assessments for levee maintenance and other flood control purposes in the delta.

**Location:** Senate Rules

**SB 1527 (Aanestad) Flood control. (A-3/27/06)**

This bill was gutted and amended on March 27, 2006 and now regards flood protection work: consolidated permits or approvals. This bill would require the Secretary of the Resources Agency to convene those agencies with permit or approval authority over flood protection work for the purposes of coordinating and issuing unified consolidated permits or approvals for each project for flood protection work funded by general obligation bonds or the General Fund.

**Location:** Senate Natural Resources and Water Committee

**SB 1574 (Kuehl) Sacramento-San Joaquin Delta. (1-2/23/06)**

This would require one of the principal options of an ongoing DWR study of Delta levees (DRMS and AB 1200) to be designed to reduce dependence on the Delta for water supply through greater investments in local water supplies, water use efficiency, water recycling, demand management programs, and other actions outside the Delta. The bill would also require DWR and the Department of Fish and Game, on or before July 1, 2007, to provide a draft joint report to the Independent Science Board (ISB) of the California Bay-Delta Authority, or its successor. The bill would require the ISB to provide DWR with an independent peer review of the draft report. The bill would also require DWR to revise the draft joint report to reflect the comments of the peer review in the joint report.

**Location:** Senate Natural Resources and Water Committee

**SB 1647 (Kuehl) Reclamation Board. (1-2/24/06)**

This bill makes technical, nonsubstantive changes to existing law, which requires the Reclamation Board to establish and enforce standards for the maintenance and

operation of flood control facilities under its jurisdiction.

Location: Senate Print

**SB 1796 (Florez) Reclamation Board.** (I-2/24/06)

Among other things, the bill would rename The Reclamation Board the Central Valley Flood Protection Board and would declare that The Central Valley Flood Protection Board is a State agency that is separate from DWR and would require the board to function independently of the DWR. In addition, the bill would require the board to consist of 9 members of which 7 members would be Governor's appointments, subject to Senate confirmation. The bill would require one board member to be appointed by the Senate Rules Committee and one board member to be appointed by the Speaker of the Assembly, both of whom would be designated as public members. Moreover, the bill would require the board, on or before January 1, 2008, to prepare and adopt a strategic flood control plan and require the board to establish and update, every 5 years, standards for levee construction, operation, and maintenance. Finally, the bill would require the board to review local and regional land use plans to ensure their compliance with flood protection and public safety standards adopted by the board and require the board to review and revise, as necessary, flood control plans adopted by local public agencies.

**Location:** Senate Print

I: Introduced

A: Amended